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12 *Federal Trade Commission*  
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14

15 **UNITED STATES DISTRICT COURT**  
16 **DISTRICT OF NEVADA**

17 FEDERAL TRADE COMMISSION, ) Case No. 2:06-CV-1644-JCM-PAL  
18 )  
19 Plaintiff, ) **STIPULATION TO EXTEND  
20 ) HEARING DATE FOR  
21 ) EMERGENCY MOTION FOR  
22 ) PROTECTIVE ORDER BY  
23 ) DEFENDANT THOMAS WELLS,  
24 ) MOVANT PRIORITY PAYOUT  
25 ) CORP.  
26 ) (Second Request)**

27 IT IS HEREBY STIPULATED by and between the parties, Plaintiff Federal Trade  
28 Commission (“FTC”), Defendant Thomas Wells, and Movant Priority Payout Corp. (collectively  
“the Parties”), by and through their respective counsel of record, that the date for the hearing on  
the Emergency Motion for Protective Order [ECF No. 62], currently set for January 8, 2019,  
should be continued for a period of at least 45 days.

29 The Parties have reached agreement on a proposed final settlement, which Thomas Wells  
30 and Priority Payout Corp. have signed. Plaintiff will submit the proposed final settlement to the  
31 FTC Commissioners for review. Counsel are informed and believe that it will likely take  
32 between eight and twelve weeks to secure this approval. If the FTC Commissioners approve the  
33 proposed final settlement, counsel will file the stipulated final order for the Court’s approval. If

1 the FTC Commissioners do not approve the proposed final settlement, and the parties are unable  
2 to agree on revisions sufficient to secure such approval, counsel will promptly notify the Court.

3 Approval of the Parties' proposed final settlement by the Commission, and its entry by  
4 this Court, will render the hearing unnecessary. A continuance of the hearing to allow time for  
5 the settlement to be approved will avoid potentially-unnecessary costs to the Parties and serve  
6 the interests of judicial efficiency.

7 For these reasons, the Parties request that the Court continue the January 8, 2019 hearing  
8 until March 26, 2019, or such other date thereafter as may be convenient for the Court.

9 There is good cause for the Court to continue the hearing. This is the Parties' second  
10 stipulation and request to extend the hearing date, and is not sought for reasons of delay or for  
11 any improper purpose.

12 IT IS FURTHER STIPULATED that the Parties shall have the option to appear for the  
13 hearing on the Emergency Motion for Protective Order by telephone.

14

15 **SO STIPULATED AND AGREED:**

16 **FOR PLAINTIFF:**  
17 **FEDERAL TRADE COMMISSION**

18

19 /s/ Andrew S. Hudson  
20 ANDREW S. HUDSON  
21 KAREN S. HOBBS  
22 Federal Trade Commission  
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25 *Attorneys for Plaintiff*

26 Date: December 14, 2018

1 **FOR DEFENDANT AND MOVANT:**

2 /s/ Theodore F. Monroe (with permission)  
3 J. MALCOLM DEVOY, ESQ.  
4 DeVoy Law P.C.  
5 2575 Montessouri Street, Suite 201  
6 Las Vegas, NV 89117  
(702) 706-3051 / ecf@devoylaw.com

Date: December 14, 2018

7 THEODORE F. MONROE, ESQ. (admitted *pro hac vice*)  
8 The Law Offices of Theodore F. Monroe  
9 800 West 6th St., Suite 500  
Los Angeles, CA 90017  
10 (213) 233-2272 / monroe@tmflaw.com  
*Attorneys for Defendants Thomas Wells*  
*and Interbill, Ltd. and its successor,*  
*Priority Payout Corp.*

12 **[PROPOSED] ORDER**

13 For good cause appearing, the Parties' foregoing stipulation is GRANTED. It is  
14 **ORDERED** that the hearing scheduled in this matter for January 8, 2019 at 1:45 p.m. is  
15 **VACATED**, and such hearing is re-set to the date and time set forth below:  
16

17 Date: February 5, 2019 Time: 1:45 p.m.  
18

19 Additionally, the Parties' counsel shall have permission to appear telephonically at this  
20 rescheduled hearing, and shall make arrangements with chambers for such telephonic  
21 appearances before the hearing date.  
22

23 Dated this 17th day of December, 2018.  
24

26   
27 UNITED STATES MAGISTRATE JUDGE  
28

## **CERTIFICATE OF SERVICE**

I hereby certify that on December 14, 2018, I electronically filed the foregoing STIPULATION TO EXTEND HEARING DATE FOR EMERGENCY MOTION FOR PROTECTIVE ORDER BY DEFENDANT THOMAS WELLS, MOVANT PRIORITY PAYOUT CORP. (Second Request) with the Clerk of the Court using CM/ECF, and caused a copy of the same to be served on all parties as set out below:

**Via CM/ECF:**

J. Malcolm DeVoy  
DeVoy Law P.C.  
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*Attorney for Thomas Wells and Priority  
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## Via Email:

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*Attorney for Thomas Wells and Priority Payout, Corp.*

/s/ Andrew S. Hudson  
Andrew S. Hudson